

PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF SEPTEMBER 20, 2005.

ATTENDANCE

COUNCIL: Rob Stevenson – Vice-Chair (District 8), Bobby Badeaux (District 1), Christopher J. Williams, Ph.D. (District 3), Louis C. Benjamin, Jr. (District 4), Lenwood Broussard (District 5), Bruce Conque (District 6), Marc Mouton (District 7)

ABSENT: Dale Bourgeois (District 2), Randy Menard (District 9)

COUNCIL STAFF: Norma Dugas (Clerk of the Council), Veronica Williams (Assistant Clerk) and Anne Patin (Senior Administrative Assistant)

ADMINISTRATIVE STAFF: L. J. Durel, Jr. (City-Parish President), Dee Stanley (CAO), Becky Lalumia (CFO), Pat Ottinger (Legal Counsel) Gail Smith (Director of Administrative Services), Chief Randy Hundley (Police Department), Tom Carroll (Director of Public Works); Gerald Boudreaux (Parks Director); Terry Huval (LUS Director); Eleanor Bouy (PZC Director); Melanie Lewis (Community Development Director); Tony Tramel (Director of Traffic & Transportation)

COMMENCEMENT

AGENDA ITEM NO. 1: Call to order.

Vice-Chair Rob Stevenson called the Regular Council Meeting of September 20, 2005 to order.

AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

The Vice-Chair called upon Councilmember Marc Mouton to give the invocation and then lead the Pledge of Allegiance.

AGENDA ITEM NO. 3: EXECUTIVE/PRESIDENT'S REPORT

President Durel gave recognition to Michael Doucet who was recently named the 2005 recipient of the National Endowment for the Arts National Heritage Fellowship and was chosen for his artistic excellence.

Durel then called on Terry Huval to give a report on water issues.

Huval stated that he has received complaints about low water pressure and the reasons are a combination of excessive lawn watering at times other than what is on the schedule and the additional number of people that are now living in the community. He also added that the lawn watering schedule is from May 1st until the end of September, but if it continues to stay dry and low water pressure continues, this may be extended through October.

Benjamin recognized Denzel Zenon who he said was an outstanding young man.

AGENDA ITEM NO. 4: COUNCIL ANNOUNCEMENTS

Stevenson made the following announcements:

- The Lafayette City-Parish Council will meet as a Board of Review at 5:30 p.m. on September 27, 2005 to consider the written or oral appeal of any taxpayer desiring to be heard.
- LPPA meeting immediately following the Regular Council meeting.
- Special Council meeting immediately following the LPPA meeting.

RESOLUTIONS

AGENDA ITEM NO. 5: R-062-2005 A resolution of the Lafayette City-Parish Council acknowledging receipt of and approving certain financial reports for FY 05/06 as submitted by Acadiana Open Channel, Inc., motion to adopt by Conque, seconded by Badeaux, and the vote was as follows:

YEAS: Badeaux, Williams, Benjamin, Conque, Mouton, Stevenson

NAYS: None

ABSENT: Bourgeois, Broussard, Menard

ABSTAIN: None

Motion was unanimously approved

AGENDA ITEM NO. 6: R-063-2005 A resolution of the Lafayette City-Parish Council providing for the construction of sewer system improvements within a portion of Consolidated Sewerage District of the City of Lafayette, State of Louisiana, in a manner provided by Sub-Part A, Part II, Chapter 9 of Title 33 of the Louisiana Revised Statutes of 1950. (Guidry Road/Boss Drive Area) (District 8), motion to adopt by Conque, seconded by Badeaux, and the vote was as follows:

YEAS: Badeaux, Williams, Benjamin, Conque, Mouton, Stevenson

NAYS: None

ABSENT: Bourgeois, Broussard, Menard

ABSTAIN: None

Motion was unanimously approved

AGENDA ITEM NO. 7: R-064-2005 A resolution of the Lafayette City-Parish Council authorizing the advertising for sealed bids for the construction of sewerage improvements along certain streets, or such part thereof as may be determined upon, within the corporate limits of Consolidated Sewerage District of the City of Lafayette, State of Louisiana. (Guidry Road/Boss Drive Area) (District 8), motion to adopt by Badeaux, seconded by Broussard, and the vote was as follows:

YEAS: Badeaux, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson

NAYS: None

ABSENT: Bourgeois, Menard

ABSTAIN: None

Motion was unanimously approved

AGENDA ITEM NO. 8: R-065-2005 A resolution of the Lafayette City-Parish Council directing the Director of Planning, Zoning and Codes to rename East and West Willow Street to East and West Martin Luther King Drive and to determine a suitable new street name for the existing Martin Luther King Drive, motion to adopt by Benjamin, seconded by Williams, and the vote was as follows:

YEAS: Williams, Benjamin

NAYS: Badeaux, Broussard, Conque, Mouton, Stevenson

ABSENT: Bourgeois, Menard

ABSTAIN: None

Motion to adopt was defeated.

Persons speaking in support of this resolution were: Mervin Harmon, Wallace Senegal, Alberta Davis, Rose Harmon, Forrest Chaisson, Bishop Jarvis Harmon, Sr., Dr. E.W. Kinchen, Jr. and Shelby Williams, Jr.

AGENDA ITEM NO. 9: R-066-2005 A resolution of the Lafayette City-Parish Council declaring September 26 - 30, 2005 as Race Equality Week, motion to adopt by Williams, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Williams, Broussard, Conque, Mouton, Stevenson

NAYS: None

ABSENT: Bourgeois, Benjamin, Menard

ABSTAIN: None

Motion was unanimously approved

AGENDA ITEM NO. 10: R-067-2005 A resolution of the Lafayette City-Parish Council directing the Administration to prepare requests for proposals for the Group Health Insurance Plan, motion to adopt by Broussard, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Williams, Broussard, Conque, Mouton, Stevenson

NAYS: None

ABSENT: Bourgeois, Benjamin, Menard

ABSTAIN: None

Motion was unanimously approved

ORDINANCES FOR FINAL ADOPTION

AGENDA ITEM NO. 11: O-212-2005 An ordinance of the Lafayette City-Parish Council amending the Lafayette City-Parish Consolidated Government Code of Ordinances, Chapter 74, "Solid Waste," Article I. "In General," and Article II. "Littering," and adding Section 74-20, "Shopping Carts," to provide for the responsibilities of merchants concerning shopping carts off-premises, and the removal, redemption, destruction, notice and identification of shopping carts, and to provide for related matters, motion to adopt as amended (*amendments being: (1) In subpart (3) of the third Whereas, add words "consequences of the authorized" after "burden or responsibility, in the 6th line; (2) In Section 74-20(C), change "day" to "month"; (3) In Section 74-20(G)(1), strike "or by imprisonment...such fine and imprisonment"; (4) In the Notice stated in Section 74-20(F), add the following language: "Whoever commits the crime of unauthorized removal of a shopping cart from the parking area or grounds of a store shall be fined not more than one hundred dollars, or imprisoned for not more than six months, or both".*) by Williams, seconded by Broussard, and the vote was as follows:

YEAS: Williams, Benjamin, Broussard, Conque, Mouton

NAYS: Badeaux, Stevenson

ABSENT: Bourgeois, Menard

ABSTAIN: None

Motion to adopt as amended was approved

Person speaking in support of this ordinance was Shelby Williams, Jr.

AGENDA ITEM 12: O-231-2005 An ordinance of the Lafayette City-Parish Council authorizing the Tax Assessor and Tax Collector for the Parish of Lafayette to assess and collect the millage rate for 2005 at the rate of 1.79 mills for the Lafayette Economic Development Authority. *Final adoption deferred until October 25, 2005.*

Lafayette Economic Development Authority President and CEO Gregg Gothreaux sent a letter to the Council requesting that final adoption of LEDA millages be deferred until the October 25, 2005 due to the significant increase in workload associated with the aftermath of Hurricane Katrina.

AGENDA ITEM NO. 13: O-232-2005 An ordinance of the Lafayette City-Parish Council authorizing the Tax Assessor and the Tax Collector for the Parish of Lafayette to assess and collect the increased millage rate for 2005 at the rate of 1.92 mills for the Lafayette Economic Development Authority. *Final adoption deferred until October 25, 2005.*

AGENDA ITEM NO. 14: O-252-2005 An ordinance of the Lafayette City-Parish Council amending the FY 04/05 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$4,050,000.00 from East Pont des Mouton Road Widening Project to Reserve – Streets. (Districts 2 and 4). *Final adoption deferred until October 4, 2005.*

Public Works requested that Ordinances O-252-2005 & O-253-2005 (agenda items 14 & 15) be deferred until October 4, 2005 due to possible budgetary revisions to reflect the actual bid prices that will be received on October 4th.

AGENDA ITEM NO. 15: O-253-2005 An ordinance of the Lafayette City-Parish Council amending the FY 04/05 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$4,050,000 from Reserve – Streets to West Pont des Mouton Road Widening Project within the Department of Public Works for additional funding needed. (Districts 1 and 2). *Final adoption deferred until October 4, 2005.*

AGENDA ITEM NO. 16: O-254-2005 An ordinance of the Lafayette City-Parish Council amending the FY 04/05 operating and capital budgets of the Lafayette City-Parish Consolidated Government for the Department of Utilities to provide for adjustments to revenue and appropriation estimates, , motion to adopt as amended (*Amendment being: Under Revenues: increase "Electric Fuel Adjusted Revenues" to \$26,596,051 and decrease "Wholesale Electric Revenues" to \$1,621,767. Under Appropriations: increase "Fuel" to \$14,679,667 and increase "Purchase Power-Other" to \$6,761,965*) by Badeaux, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson

NAYS: None

ABSENT: Bourgeois, Menard

ABSTAIN: None

Motion to adopt as amended was approved

AGENDA ITEM NO. 17: O-255-2005 An ordinance of the Lafayette City-Parish Council declaring the utility installations and relocations for Ambassador Caffery Parkway Extension Project (LA 339 to US 90) a public necessity and authorizing the acquisition of the necessary rights-of-way and other property rights requisite to the construction, operation, and/or maintenance of said project, either on an amicable basis or through the expropriation process, if necessary. (Districts 7 & 9), motion to adopt by Mouton, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson

NAYS: None

ABSENT: Bourgeois, Menard

ABSTAIN: None

Motion was unanimously approved

AGENDA ITEM NO. 18: O-256-2005 An ordinance of the Lafayette City-Parish Council providing for the abandonment of portions of a utility easement on Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 of Sienna Place, located in the 100 Block and 200 Block of Greystone Place and the 100 Block of Sienna Place, motion to adopt by Mouton, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson

NAYS: None

ABSENT: Bourgeois, Menard

ABSTAIN: None

Motion was unanimously approved

AGENDA ITEM NO. 19: O-259-2005 An ordinance of the Lafayette City-Parish Council amending the FY 04/05 operating budget of the Lafayette City-Parish Consolidated Government by amending the manning tables within the Traffic and Transportation Department, Traffic Engineering Division, Traffic Calming Section by deleting one Engineer II position and adding one Engineer I position, motion to adopt by Benjamin, seconded by Mouton, and the vote was as follows:

YEAS: Badeaux, Williams, Benjamin, Conque, Mouton, Stevenson

NAYS: Broussard

ABSENT: Bourgeois, Menard

ABSTAIN: None

Motion was approved

AGENDA ITEM NO. 20: O-260-2005 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to enter into an Intergovernmental Agreement with the City of Scott concerning the Landry Road Widening Project from Leviolon Road to South Fieldspan Road (Louisiana Highway 743), motion to adopt by Badeaux, seconded by Broussard, and the vote was as follows:

YEAS: Badeaux, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson

NAYS: None

ABSENT: Bourgeois, Menard

ABSTAIN: None

Motion was unanimously approved

AGENDA ITEM NO. 21: O-261-2005 An ordinance of the Lafayette City-Parish Council enacting Section 1-9(f) of the Lafayette City-Parish Consolidated Government Code of Ordinances to provide that the Lafayette City-Parish Consolidated Government shall be entitled to recover attorney's fees incurred in connection with any action brought to abate or enjoin any violation of the Lafayette City-Parish Consolidated Government Code of Ordinances, motion to adopt by Mouton, seconded by Conque, and the vote was as follows:

YEAS: Badeaux, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson

NAYS: None

ABSENT: Bourgeois, Menard

ABSTAIN: None

Motion was unanimously approved

Williams requested a fiscal impact report be given at the Legal Budget hearings in 2006.

AGENDA ITEM NO. 22: O-262-2005 An ordinance of the Lafayette City-Parish Council providing that any councilman who votes against any raise of the salary of the Council shall thereby be deemed to have elected to forego any such raise, motion to adopt by Benjamin, seconded by Mouton, and the vote was as follows:

YEAS: Badeaux, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson

NAYS: None

ABSENT: Bourgeois, Menard

ABSTAIN: None

Motion was unanimously approved

AGENDA ITEM NO. 23: O-264-2005 An ordinance of the Lafayette City-Parish Council recognizing and certifying as to a public emergency as a result of Hurricane Katrina and providing for the authority of the Lafayette City-Parish President to take certain actions in response to such public emergency, including the expenditure of funds pursuant to an emergency appropriation and the execution of agreements with other political subdivisions for the provision of assistance and other aid, motion to adopt as amended (*amendment being to remove Section 2(g) in its entirety*) by Benjamin, seconded by Mouton, and the vote was as follows:

YEAS: Badeaux, Williams, Benjamin, Broussard, Conque, Mouton, Stevenson

NAYS: None

ABSENT: Bourgeois, Menard

ABSTAIN: None

Motion to adopt as amended was unanimously approved

CONSIDER APPOINTMENTS BY THE COUNCIL, AS A WHOLE, TO FOLLOWING BOARDS/COMMISSIONS

AGENDA ITEM NO. 24: Appointment of _____ to the Lafayette Preservation Commission to fill an unexpired term until August 31, 2006. This is a minority appointment. *No resumes were received, the position will be readvertised.*

AGENDA ITEM NO. 25: Appointment of Dr. Vanessa Hill to the Lafayette Parish Library Board of Control for a five year term effective September 30, 2005.

Councilmember Conque nominated Vanessa Hill and Councilmember Mouton nominated Carol Mann-Marcotte, and the vote was as follows:

HILL: Williams, Benjamin, Conque, Stevenson

MARCOTTE: Badeaux, Broussard, Mouton

INTRODUCTORY ORDINANCES

AGENDA ITEM NO. 26 - 30: A motion was offered by Mouton, seconded by Benjamin, to approve the following ordinances for introduction, in-globo, and the vote was as follows:

YEAS: Williams, Benjamin, Broussard, Conque, Mouton, Stevenson

NAYS: None

ABSENT: Badeaux, Bourgeois, Menard

ABSTAIN: None

Motion was unanimously approved.

26. O-265-2005 An ordinance of the Lafayette City-Parish Council amending the FY 04/05 operating budget of the Lafayette City-Parish Consolidated Government by adjusting revenues and expenditures for the Lafayette Parish Coroner's Office.

27. O-266-2005 An ordinance of the Lafayette City-Parish Council amending the FY 04/05 operating budget of the Lafayette City-Parish Consolidated Government by transferring \$21,000 from Salaries-Promotion Costs to Salaries-Holiday Pay line items within the Fire Department for additional funding needed.

28. O-267-2005 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish Consolidated Government to enter into an Agreement with Entergy Gulf States, Inc. for the relocation of Entergy's transmission line at the Wetlands Golf Course.

29. O-268-2005 An ordinance of the Lafayette City-Parish Council enacting Article V, "Administration of Contracts," of Chapter Two of the Consolidated Code of Ordinances to provide for the authority to debar certain contractors from transacting business with the Lafayette City-Parish Consolidated Government under certain circumstances.

30. O-269-2005 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to accept an Act of Donation of Immovable Property.

AGENDA ITEM NO. 51: 51. Comments from the public concerning the above Introductory Ordinances. *No comments were made.*

ADJOURN

There being no further business to come before the Council, Vice-Chair Stevenson declared the Regular Council meeting adjourned.

/s/ Norma A Dugas

NORMA A. DUGAS, CLERK
LAFAYETTE CITY-PARISH COUNCIL